

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Leroy Burton

Docket No. 7:03-CR-116-1

Petition for Action on Supervised Release

COMES NOW Chip Williams, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Leroy Burton, who, upon an earlier plea of guilty to Conspiracy to Commit Bank Fraud; 18 U.S.C. § 371 and Bank Fraud; Aiding and Abetting; 18 U.S.C. §§ 1344 and 2, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on June 21, 2004, to the custody of the Bureau of Prisons for a term of 57 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
3. The defendant shall participate in a program of mental health treatment, as directed by the probation office.
4. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.

Leroy Burton was released from custody on August 10, 2007, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR
CAUSE AS FOLLOWS:**

Leroy Burton
Docket No. 7:03-CR-116-1
Petition For Action
Page 2

The defendant is currently supervised in the Northern District of Georgia. On February 22, 2010, a violation report was submitted reporting the defendant tested positive for marijuana on January 26, 2010. The probation officer for this district reports the defendant has satisfied all special conditions. There are no outstanding monetary obligations. Further, the defendant is gainfully employed. However, on May 24, 2010, the defendant again tested positive for an illegal substance (cocaine). In response to the latest violation, the defendant has been referred to substance abuse treatment. It is recommended the violation be addressed by the imposition of 40 hours of community service. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 40 hours of community service as directed by the United States Probation Officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Kevin L. Connolley
Kevin L. Connolley
Supervising U.S. Probation Officer

/s/ Chip Williams
Chip Williams
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: (910) 815-4857
Executed On: July 30, 2010

ORDER OF COURT

Considered and ordered this 24 day of August, 2010, and ordered filed and made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge